

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION	Case No. 1:17-MD-2804
<i>APPLIES TO ALL CASES</i>	Hon. Dan A. Polster

PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL

Pursuant to Local Rule 5.2, Plaintiffs seek leave to file their Reply to Kroger's Objection to Special Master Cohen's Discovery Ruling No. 14, Part 32 on Kroger's Privilege Claims and the corresponding eight exhibits under seal.

Local Rule 5.2 states: "No document will be accepted for filing under seal unless a statute, court rule, or prior court order authorizes the filing of sealed documents."

The documents Plaintiffs seek to file contain internal language that Kroger claims contains information that falls within the purview of the Protective and Confidentiality Orders, including Case Management Order No. 2 and the amendments thereto (ECF #s 441, 1357, 2687, 2688). Plaintiffs disagree as the documents have already been publicly disclosed in a New Mexico State Court opioid case involving the State of New Mexico and Kroger. Nonetheless to appease Kroger's concerns, Plaintiffs file this motion. Plaintiffs respectfully request to proceed in this manner so there are no inadvertent disclosures of information subject to Protective Orders and to comply with this Court's orders unless/until the Parties can implement this Court's Order Amending Procedures Regarding Redactions and Filing of Briefs Under Seal (ECF # 1813).

WHEREFORE, Plaintiffs respectfully request this Honorable Court to grant Plaintiffs' Motion for Leave to File its Reply to Kroger's Objection to Special Master Cohen's Discovery Ruling No. 14, part 32 on Kroger's Privilege Claims and the corresponding exhibits under seal.

Dated: May 25, 2023

Respectfully submitted,

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Plaintiffs' Liaison Counsel

CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system and may be obtained by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter H. Weinberger

Peter H. Weinberger